

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA 2016 JUL -6 AM 10:59
SAVANNAH DIVISION

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SO. DIST. OF GA.

ROBERT HAMLIN,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

CASE NO. CV413-100

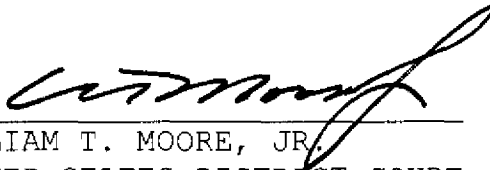
O R D E R

Before the Court is Plaintiff Hamlin's Motion for Attorney's Fees Under the Equal Access to Justice Act ("EAJA") and the Social Security Act. (Doc. 17.) The Defendant does not oppose the motion with respect to attorney's fees, but requests that the Court order that the fees be paid to Plaintiff, as prevailing party, rather than counsel. (Doc. 20.)

The Court has carefully considered Plaintiff's application for attorney's fees and finds that he meets the requirements of Jean v. Nelson, 863 F.2d 759, 765 (11th Cir. 1988) (holding that to recover attorney's fees "(1) the litigant opposing the United States must be a prevailing party; (2) the government's position must not have been substantially justified; and (3) there must be no circumstances that make an award against the government unjust." Accordingly, Plaintiff is **AWARDED** the requested \$4,159.85. Upon the entry of this Order, the Commissioner will

determine whether Plaintiff owes a debt to the government that qualifies under the Treasury Offset Program, 31 U.S.C. § 3711 and 3716. If Plaintiff owes such a debt, the fee award will be applied towards its settlement and the Treasury Department should issue a check for the remaining funds made payable to Plaintiff and mail the check to Plaintiff's counsel. If Plaintiff does not owe such a debt, the government will accept the assignment of EAJA fees and pay such fees directly to Plaintiff's attorney.

SO ORDERED this 5th day of July 2016.


WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA